



Chief Judge Chandlee Johnson Kuhn

I am pleased to present the annual report of the Family Court of the State of Delaware. Family Court remains firmly committed to its mission and strategic plan.

Family Court's mission, as set forth in 10 Del.C. § 902(a) is:

The court shall endeavor to provide for each person coming under its jurisdiction such control, care, and treatment as will best serve the interest of the public, the family, and the offender, to the end that the home will, if possible, remain unbroken and the family members will recognize and discharge their legal and moral responsibilities to the public and to one another.

Strategic Planning

Family Court's Strategic Plan reads as follows:

WE, THE JUDGES OF THE FAMILY COURT OF THE STATE OF DELAWARE, this 12th day of August, 2004, in furtherance of the Family Court's legislative mandate to best serve the interests of the citizens, families, and children of the State of Delaware, and all other individuals who appear before us, do hereby set forth the Court's guiding ideals, goals, and strategies.

FAMILY COURT

GUIDING IDEALS

The Family Court of the State of Delaware – its judicial officers and staff – is committed to securing meaningful access to justice for those who come before the Family Court; to striving for safety, permanency, and rehabilitation of our children; to protecting the peace and safety of the public; to resolving disputes impartially and fairly; to demanding respect, intellectual honesty, integrity, and accountability from ourselves as well as from those we serve; to responding to the social changes and innovative ideas of the future; to giving due deference to legal precedents of the past; and, ultimately, to enhancing the quality of life of the citizens, children and families of the State of Delaware.

GOALS

- Safety and security
- Timely and expeditious hearings and case processing
- Institutional competence (fully trained and engaged judicial officers and staff)
- Conflict resolution in the least adversarial manner
- Comity in governmental relations
- Balanced court workload

FAMILY COURT

BROAD STRATEGIES

- *Effective judicial governance*
- *Continuous learning (training and education)*
- *Innovation*
- *Alternate dispute resolution (ADR)*
- *Good working relationships with other branches of government and justice system partners*
- *Community outreach*

Judicial Composition

In last year's annual report, I reported that the need for two additional judges for the Family Court in New Castle County remained critical. I am pleased to report this year that the two new judgeships and administrative support staff were approved and funded as part of the fiscal year 2006 budget and that the judges and staff will be on board by January 2006. On November 8, 2005 the State Senate unanimously confirmed Alan Cooper, Esq. and Joelle Hitch, a current Commissioner in Family Court, for these new positions.

Additionally Commissioner Sonja Wilson in Sussex County and Commissioner David Jones in Kent County were unanimously re-confirmed during the Senate hearings also held on November 8, 2005.

The addition of two judgeships for the Court in New Castle County will allow the Court to better serve the citizens of our state by:

- Improving the Court's ability to enter timely dispositions in the child dependency, neglect and abuse caseload;
 - Reducing the time frames for achieving permanency for child dependency, neglect and abuse cases thereby enabling the Court to comply more fully with the Adoption and Safe Families Act guidelines;
- Moving towards a more substantial implementation of the recommendations set forth in the March 30, 1999, Final Report of the Delaware Supreme Court Special Committee on Family Court Internal Operating Procedures;
 - Expediting the disposition of criminal and delinquency matters so as to maintain compliance with the Supreme Court Administrative Directive Number 130; and
 - Improving the time frames for disposition of the Court's civil caseload.

I fully expect that next year I will be reporting on the progress the Court has made in each of these areas as a result of the two additional judgeships.

Court Improvement Project (CIP)

The Court Improvement Program (CIP) is a multi-year, federally funded grants project designed to support state courts in efforts to improve their handling of cases involving children in foster care, termination of parental rights and adoption proceedings. Delaware has participated in this project since its inception in 1994.

Because of its sweeping systemic reforms, the Delaware Family Court was selected as a study site for the U. S. Department of Health and Human Services (HHS) to evaluate the impact of CIP. Pal Tech will conduct the court-focused evaluation in New Castle County under contract with HHS. The study will take place over a five-year period and will include observations and empirical information regarding the impact of court reforms, including their influence on the Division of Family Services and its ability to meet federal child welfare requirements.

In September, a team of Judges, staff and child welfare professionals in Delaware had the opportunity to attend The National Leadership Summit on the Protection of Children. Each

team at the Summit was charged with developing an action plan for its state.

Toward this end the Delaware team recommended the immediate creation of a permanent, multidisciplinary, broad based committee on child welfare for the purposes of ensuring collaboration among state, local and other community organizations that serve children who have been dependent or neglected, including abused children who are in foster care, or are receiving child welfare services.

This committee is charged with furthering the goal of providing all children with safe, permanent families in which their physical, emotional, and social needs are met.

Juvenile Justice

Family Court continues its commitment to review the performance of the juvenile justice system through our membership and active participation on the Juvenile Justice Review Task Force created by House Concurrent Resolution Number 52. As a result of this Task Force, Senate Bill 200 was enacted. The bill returned original jurisdiction of juveniles charged with Robbery in the First Degree to Family Court in certain circumstances.

The Court has created an internal committee to study the juvenile justice practices in Delaware and offer recommendations for improvements that further public safety and rehabilitative outcomes.

The Delaware Girls Initiative is a collaborative group that has partnered with the Delaware Center for Justice, the National Council on Crime and Delinquency, and the PACE Center for Girls to explore the need for a comprehensive continuum of services for at-risk adolescent girls in the State of Delaware. On behalf of the Family Court, I serve as the chair of this important initiative.

Additionally, this year the Family Court hired two Expeditors to track juveniles in the system and identify alternative preadjudicatory placements. The Family Court also implemented the Risk Assessment Instrument, which is an objective tool to facilitate the hearing officers' identification of those juveniles who qualify for alternative placements to detention. These coordinated efforts will result in a more effective and efficient juvenile justice system for Delaware.

Services for Self-Represented Litigants

In its continued efforts to serve *pro se* litigants, the Family Court helped over 38,000 people by providing assistance through the Resource Centers statewide. Over 16,000 people in New Castle County utilized the services provided in the Self-Help Center. Kent County's Resource Center provided assistance to 13,816 people, and Sussex County's Resource Center provided assistance to 9,150 people. These numbers indicate that Delaware's citizens continue to benefit from the variety of services offered in the Resource Centers.

Over the past year, the Court has developed and implemented instruction booklets for divorce, annulment, custody, and visitation. These instruction booklets provide extensive information to *pro se* litigants regarding how to complete court forms (including sample forms), the court process and information to assist them in preparing for their particular court hearing. The booklets are available to *pro se* litigants in all Family Court Resource Centers and are accessible on the Family Court webpage. The Court is currently developing additional instruction booklets in the areas of guardianship and child support.

The Court's *pro se* litigant program has enhanced the public's access to the Court, has enhanced litigants' participation in the Court process and has contributed to more efficient Court operations.

FAMILY COURT

Court Appointed Special Advocate (CASA) Program

The Court Appointed Special Advocate (CASA) Program provides trained volunteers to represent the best interests of abused and neglected children in court proceedings.

In Fiscal Year 2004, the statewide program was among the first in the country to successfully complete the National CASA Association's Quality Assurance Program that measures compliance with national standards. The Delaware Family Court program surpassed compliance requirements by meeting or exceeding 434 of the 438 (99 percent) possible measures in the process.

With a goal to diversify its volunteer pool to better reflect the community it serves, the CASA program implemented new statewide public relations strategies, which included targeted volunteer recruitment in each county.

During 2005, 182 CASA volunteers served as guardians *ad litem* for 551 abused and neglected children in the Family Court.

Security, Safety and Functionality of the Family Court Facilities Statewide

While the Court enjoys state of the art facilities in the New Castle County Courthouse, the Family Court buildings in Kent and Sussex Counties, now sixteen (16) and seventeen (17) years old respectively, have become overcrowded, unsafe, outdated and no longer adequately meet the needs of the Court and the public we serve. Family Court, in conjunction with the Department of Administrative Services has begun a multi-year initiative to renovate, modernize and expand our courthouses in our southern counties. Funding for space needs assessment studies for both counties has been secured. The Court anticipates that the studies for both Kent and Sussex counties will be completed during Fiscal Year 2006.

The Department of Administrative Services continues negotiations to purchase a parcel of land immediately adjacent to the present Family Court building in Sussex County, which, if feasible, will allow for the expansion of the existing facility. Additionally, Family Court judges and administrative staff are working with the Division of Facilities Management to identify and correct the most critical security deficiencies in need of immediate attention.

In Kent County, the Court, in concurrence with Facilities Management, has decided to forego any further renovations of the Family Court building other than minor critical security needs. The Family Court, in conjunction with the Division of Facilities Management has begun the process to conduct a comprehensive space needs assessment in order to determine the long term space requirements for the Family Court and to determine whether the existing courthouse can be renovated and expanded in order to support the day to day operations of the Court.

COTS – Courts Organized To Serve

Family Court Judges and staff continue with their commitment to the statewide COTS (Courts Organized to Serve) automation initiative. Family Court anticipates that the COTS system will facilitate the Family Court in meeting our case management objectives through the development of a statewide information and case management system. During Fiscal Year 2005, I along with the Family Court Administrator, our Director of Case Management and members of the Family Court Bench worked with our respective colleagues from our sister courts to learn the new system and evaluate its functionality vis-à-vis the functional requirements of the various courts. The Family Court, along with the entire judicial branch stands committed to the COTS initiative and looks forward to implementation of the new system.

Human Resources Development

The Family Court continues to focus on the professional development of its administrative support staff with the goal of enhancing overall organizational effectiveness and individual competencies. The emphasis is on providing our employees with the knowledge and skills needed to provide information and assistance to litigants effectively.

The guiding principles that the Court uses as its long range human resources strategy are embedded in its Strategic Plan that has been adopted and approved by all Family Court Judges. Additionally, the framework that exists in the National Association of Court Management's (NACM) Core Competency Guidelines is being explored as the basis for specific long-term professional development strategies for court managers and administrative support staff.

The Court's current development program for its supervisors and managers centers on two one-day conferences that are held annually at a central location with full participation required.

In April 2005, Janet Wright, Esquire of the State of Delaware Public Integrity Commission discussed issues involving conflicts of interest and the need to ensure neutrality and objectivity in the performance of all official duties in a conference entitled "Ethics for Supervisors."

The second conference, entitled "Management Responsibilities and the Law for the Family Court of the State of Delaware" was held on November 18, 2005. Michael Cohen, Esq. from the Employment Services Practice Group of Wolf Block in Philadelphia presented.

In June 2005 management staff attended a one-day presentation on the NACM core competencies given by faculty from Michigan State University. The core competencies for court management were detailed further at the annual three-day Mid-Atlantic Association of Court Management (MAACM) conference that was attended by all Family Court managers. At the conference, Chief Judge Chandlee Johnson Kuhn and Court Administrator Randall E. Williams served on a panel discussion of leadership in the Courts and the value of courts to our society.

On September 22 and 23, 2005 all Commissioners and administrative support staff attended a half-day conference titled "Communicating Leadership", which focused on strengthening communication and understanding in the Court environment.

Administrative support staff regularly attended the many training programs offered by the Administrative Office of the Courts as well as those provided by the Office of Human Resources Management. Our supervisors and managers consistently support the participation of their unit members in these programs.

The Human Resources Unit conducted several workshops for administrative support staff on enhancing job interviewing skills and presenting a strong image during the selection process for promotional opportunities.

The court continues to support its employee educational assistance program which provides tuition reimbursement to employees for college-level courses.

In the area of employee recognition and appreciations, the Court sponsored annual ceremonies in each county in May and awards were presented for a broad range of individual and group achievements.

FAMILY COURT

I am pleased to report on Family Court's accomplishments over the last year. Family Court will continue to focus its resources on providing quality service to the citizens of our state and ensuring that matters within the Courts jurisdiction are resolved as expeditiously as possible while meeting our obligation to providing our citizens with the highest quality of justice feasible.



Legal Authorization

The Constitution of Delaware, Article IV, Section 1, authorizes the Family Court.

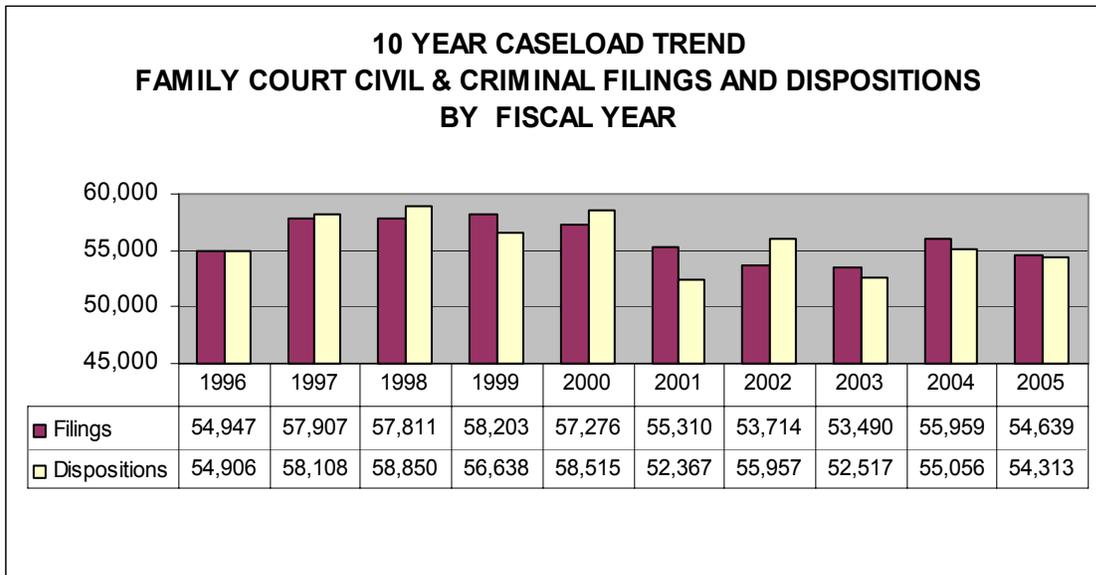
Court History

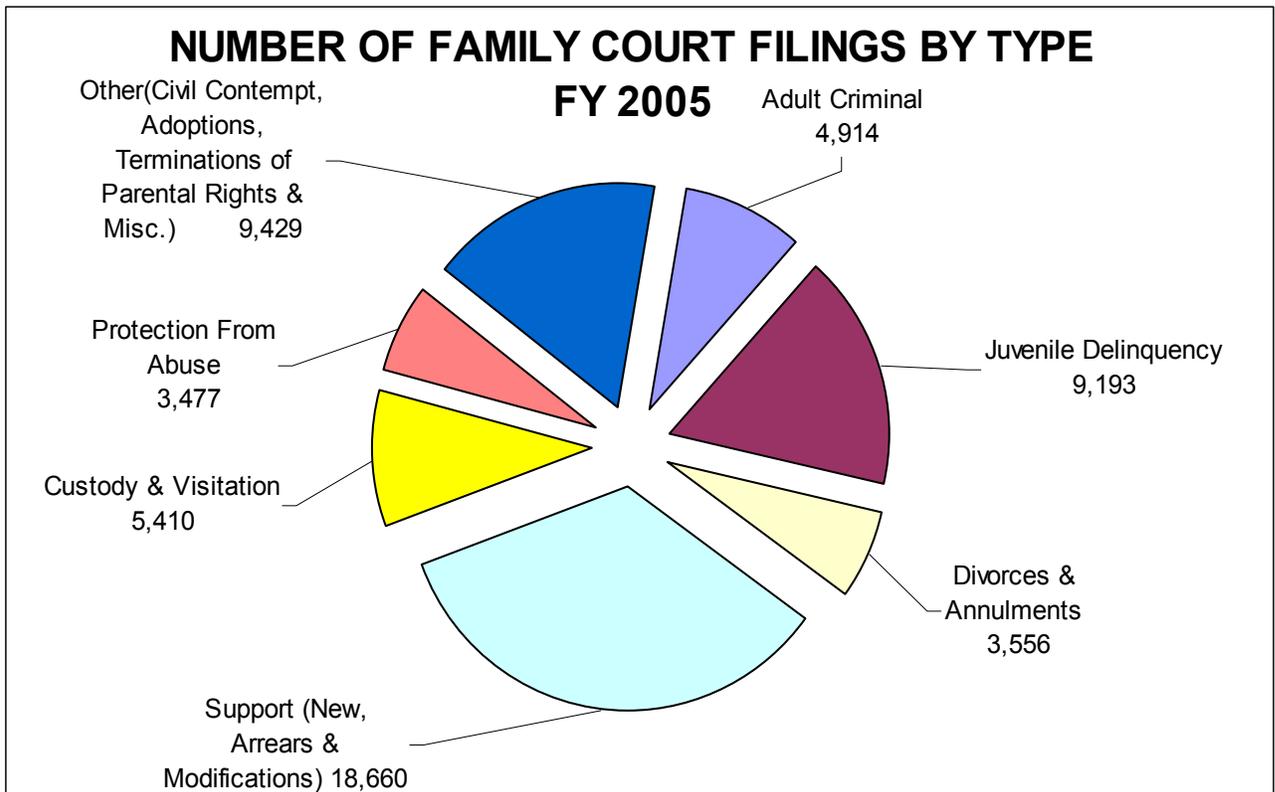
The Family Court of the State of Delaware has its origin in the Juvenile Court for the City of Wilmington, which was founded in 1911. A

little over a decade later, in 1923, the jurisdiction of the Juvenile Court for the city of Wilmington was extended to include New Castle County. In 1933, the Juvenile Court for Kent and Sussex Counties was created.

From the early 1930s, there was a campaign to establish a Family Court in the northernmost county, and this idea came to fruition in 1945 when the legislature created the Family Court for New Castle County, Delaware. In 1951, legislation was enacted to give the Juvenile Court for Kent and Sussex Counties jurisdiction over all family matters, and in early 1962, the name of the Juvenile Court for Kent and Sussex Counties was changed to the Family Court for Kent and Sussex Counties.

As early as the 1950s, the concept of a statewide Family Court had been endorsed. The fruition of this concept was realized with the statutory authorization of the Family Court of the State of Delaware in 1971.





Geographic Organization

The Family Court is a unified statewide court with branches in New Castle County in Wilmington, Kent County in Dover and Sussex County in Georgetown.

Legal Jurisdiction

The Family Court has had conferred upon it by the General Assembly jurisdiction over statutorily enumerated juvenile delinquency matters, child neglect, dependency, child abuse, adult misdemeanor crimes against juveniles, child and spousal support, paternity of children, custody and visitation of children, adoptions, terminations of parental rights, divorces and annulments, property divisions, specific enforcement of separation agreements, guardianship over minors, imperiling the family relationship, orders of protection from abuse and intra-family misdemeanor crimes.

Cases are appealed to the Supreme Court with the exception of adult criminal cases which are appealed to the Superior Court.

Judges

Family Court has 17 judges (as of December 7, 2005) of equal judicial authority, one of whom is appointed by the Governor as Chief Judge and who is the chief administrative and executive officer for the Court. A bare majority of the judges must be of one major political party with the remainder of the other major political party.

The Governor nominates the judges, who must be confirmed by the Senate. The judges are appointed for 12-year terms. Judges must have been duly admitted to the practice of law before the Supreme Court of Delaware at least five years prior to appointment and must have a knowledge of the law and interest in and understanding of family and children's issues. They shall not practice law during their tenure and may be re-appointed.

FAMILY COURT

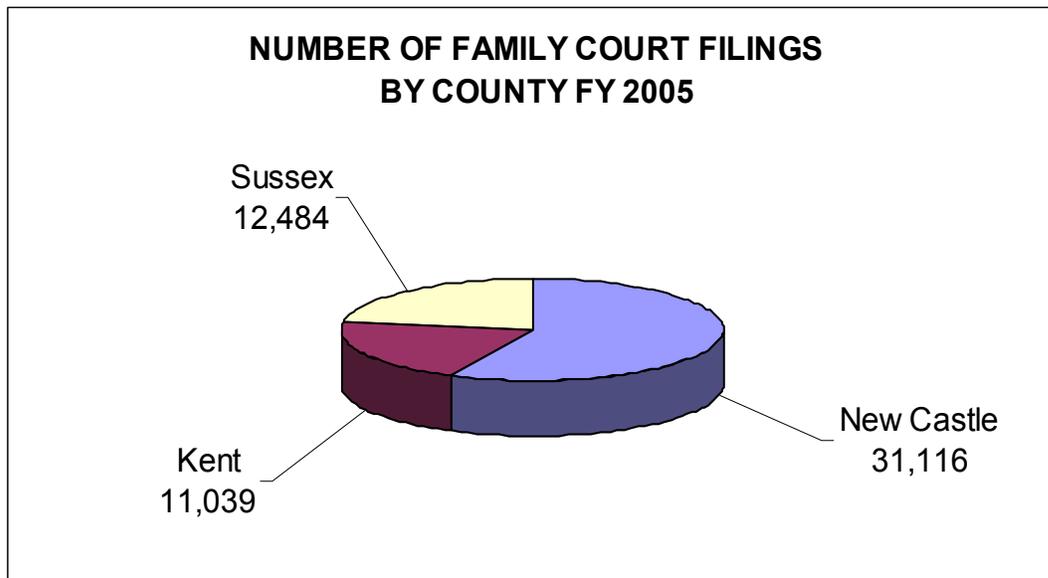
Commissioners

Family Court has 16 Commissioners of equal judicial authority. Commissioners are attorneys at law who are nominated by the Governor, confirmed by the Senate and serve an initial four-year term. Upon second and subsequent appointments and confirmation, Commissioners serve six-year terms.

Commissioners hear a broad range of cases including child support, misdemeanor crimes and delinquency, civil protection orders, bail hearings and other cases as assigned by the Chief Judge. Orders from Commissioners are subject to review by Family Court Judges.

Administrative Support Personnel

The Family Court has an administrative support staff of more than 290 full-time positions in addition to the above-referenced Judges and Commissioners. The Court's administrative support staff includes positions such as the Court Administrator, directors of operations, supervisors, clerks of court, administrative specialists, accountants, judicial assistants, mediation/arbitration officers, intake officers, program coordinators and volunteers working in all areas of the Court.





The Family Court Judiciary

Back Row (standing left to right)

Judge Arlene Minus Coppadge
Judge Aida Wasserstein
Judge Peter B. Jones
Judge John E. Henriksen
Judge Michael K. Newell
Judge William L. Chapman, Jr.
Judge Jay H. Conner
Judge Mardi F. Pyott
Judge William N. Nicholas
Judge Barbara D. Crowell

Front Row (sitting left to right)

Judge Mark D. Buckworth
Judge Kenneth M. Millman
Chief Judge Chandlee Johnson Kuhn
Judge William J. Walls, Jr.
Judge Robert B. Coonin

Not Pictured (Joined the Court on December 7, 2005):

Judge Alan N. Cooper
Judge Joelle P. Hitch